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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re patent application of:**

Hathaway

Serial No. 10/008,781

Filed November 13, 2001

# APPARATUS AND METHOD FOR POSITIVE CLOSURE OF AN INTERNAL TISSUE MEMBRANE OPENING

Before the Examiner  
Woo, Julian W.

Group Art Unit  
3731

RESPONSE TO FINAL OFFICE ACTION  
UNDER 37 C.F.R. §1.111

**Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**

Sir:

In response to the Office Action dated September 27, 2005, Applicants respectfully request entry of the following amendments and consideration of the accompanying remarks.

**Amendments to the claims begin on page 2 of this transmittal.**

Remarks begin on page 6 of this transmittal.

Additionally, please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 23-3030, but do not include any payment of issue fees that are or may become due.

I certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Gail Mercer  
Typed or Printed Name of Person Transmitting Correspondence

Gail Mercer  
Signature of Person Transmitting Correspondence

December 27, 2005  
Date of Signature

Hathaway, USSN 10/008,781  
RESPONSE TO FIRST OFFICE ACTION  
7037-438.O.280158v2

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12/28/2005 MBINAS 00000001 10008781

01 FC:1202  
02 FC:1201

50.00 OP  
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